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CONGRESSIONAL RECORD — SENATE

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fifty additional copies of such document, of which twenty-one thousand nine hundred and fifty copies shall be for the use of the House of Representatives and ten thousand three hundred copies shall be for the use of the Senate.

SENATE RESOLUTION 47—CHANGE OF REFERENCE

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent, at the request of the distinguished senior Senator from Indiana (Mr. HARTKE), that the Senate Committee on Veterans' Affairs be discharged from the further consideration of Senate Resolution 47, authorizing additional expenditures by the Committee on Veterans' Affairs for inquiries and investigations, and that it be referred directly to the Senate Committee on Rules and Administration for its consideration. The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 60—SUBMISSION OF A RESOLUTION TO ESTABLISH A SELECT COMMITTEE OF THE SENATE TO INVESTIGATE THE 1972 PRESIDENTIAL ELECTION

(Placed on the calendar.)
Mr. ERVIN (for himself and Mr. MANSFIELD) submitted the following resolution:

S. RES. 60

Resolution to establish a select committee of the Senate to conduct an investigation and study of the extent, if any, to which illegal, improper, or unethical activities were engaged in by any persons, acting individually or in combination with others, in the Presidential election of 1972, or any campaign, canvass, or other activity related to it.

Resolved, Section 1. (a) That there is hereby established a select committee of the Senate, which may be called for convenience of expression the Select Committee on Presidential Campaign Activities, to conduct an investigation and study of the extent, if any, to which illegal, improper, or unethical activities were engaged in by any persons, acting either individually or in combination with others, in the Presidential election of 1972, or in any related campaign or canvass conducted by or in behalf of any person seeking nomination or election as the candidate of any political party for the office of President of the United States in such election, and to determine whether in its judgment any occurrences which may be revealed by the investigation and study indicate the necessity or desirability of the enactment of new congressional legislation to safeguard the electoral process by which the President of the United States is chosen.

(b) The select committee created by this resolution shall consist of five members of the Senate, three of whom shall be appointed by the President of the Senate from the majority members of the Senate upon the recommendation of the Majority Leader of the Senate, and two of whom shall be appointed by the President of the Senate from the minority members of the Senate upon the recommendation of the Minority Leader of the Senate. For the purposes of paragraph six of Rule XXV of the Standing Rules of the Senate, service of a Senator as a member, chairman or vice chairman of the select committee shall not be taken into account.

(c) The select committee shall select a chairman and vice chairman from among its members, and adopt such rules as may govern its proceedings. The vice chairman shall preside over meetings of the select com-

mittee during the absence of the chairman, and discharge such other responsibilities as may be assigned to him by the select committee or the chairman. Vacancies in the membership of the select committee shall not affect the authority of the remaining members to execute the functions of the select committee, and shall be filled in the same manner as original appointments to it are made.

(d) A majority of the members of the select committee shall constitute a quorum for the transaction of business, but the select committee may fix a lesser number as a quorum for the purpose of taking testimony or depositions.

Sec. 2. That the select committee is authorized and directed to do everything necessary or appropriate to make the investigation and study specified in section 1.

(a) Without abridging or limiting in any way the authority conferred upon the select committee by the preceding sentence, the Senate further expressly authorizes and directs the select committee to make a complete investigation and study of the activities of any and all persons or groups of persons or organizations of any kind which have any tendency to reveal the full facts in respect to the following matters or questions:

(1) The breaking, entering, and bugging of the headquarters or offices of the Democratic National Committee in the Watergate Building in Washington, D.C.;

(2) The monitoring by bugging, eavesdropping, wiretapping, or other surreptitious means of conversations or communications occurring in whole or in part in the headquarters or offices of the Democratic National Committee in the Watergate Building in Washington, D.C.;

(3) Whether or not any printed or typed or written document or paper or other material was surreptitiously removed from the headquarters or offices of the Democratic National Committee in the Watergate Building in Washington, D.C., and thereafter copied or reproduced by photography or any other means for the information of any person or political committee or organization;

(4) The preparing, transmitting, or receiving by any person for himself or any political committee or any organization of any report or information concerning the activities mentioned in subdivisions (1), (2), (3) of this section, and the information contained in any such report;

(5) Whether any persons, acting individually or in combination with others, planned the activities mentioned in subdivisions (1), (2), (3), or (4) of this section, or employed any of the participants in such activities to participate in them, or made payments or promises of payments of money or other things of value to the participants in such activities or their families for their activities, or for concealing the truth in respect to them or any of the persons having any connection with them or their activities, and, if so, the source of the moneys used in such payments, and the identities and motives of the persons planning such activities or employing the participants in them;

(6) Whether any persons participating in any of the activities mentioned in subdivisions (1), (2), (3), (4), or (5) of this section have been induced by bribery, coercion, threats, or any other means whatsoever to plead guilty to the charges preferred against them in the District Court of the District of Columbia or to conceal or fail to reveal any knowledge of any of the activities mentioned in subdivisions (1), (2), (3), (4), or (5) of this section, and, if so, the identities of the persons inducing them to do such things, and the identities of any other persons or any committees or organizations for whom they acted;

or sabotage in any way any campaign, canvass, or activity conducted by or in behalf

of any person seeking nomination or election as the candidate of any political party for the office of President of the United States in 1972 by infiltrating any political committee or organization or headquarters or offices or home or whereabouts of the person seeking such nomination or election, or any person aiding him in so doing, or by bugging or eavesdropping or wiretapping the conversations, communications, plans, headquarters, offices, home, or whereabouts of the person seeking such nomination or election or of any other persons assisting him in so doing, or by exercising surveillance of the person seeking such nomination or election or of any person assisting him in so doing, or by reporting to any other person to any political committee or organization any information obtained by such infiltration, eavesdropping, bugging, wiretapping or surveillance;

(8) Whether any person, acting individually or in combination with others, or any political committee or organization induced any of the activities mentioned in subdivision (7) of this section or paid any of the participants in any such activities for their services, and, if so, the identities of such persons, or committee, or organization, and the source of the funds used by them to procure or finance such activities;

(9) Any fabrication, dissemination, publication of any false charges or of false information having the purpose of crediting any person seeking nomination or election as the candidate of any political party to the office of President of the United States in 1972;

(10) The planning of any of the activities mentioned in subdivisions (7), (8), or (9) of this section, the employing of the participants in such activities, and the source of any moneys or things of value which may have been given or promised to the participants in such activities for their services, and the identities of any persons or committees or organizations which may have been involved in any way in the planning, procuring, and financing of such activities;

(11) Any transactions or circumstances relating to the source, the control, the transmission, the transfer, the deposit, the storage, the concealment, the expenditure, or use of the United States or in any other country of any moneys or other things of value collected or received for actual or pretended use in the presidential election of 1972, or in any related campaign or canvass or activities preceding or accompanying such election by any person, group of persons, committee or organization of any kind acting or professing to act in behalf of any national political party or in support of or in opposition to any person seeking nomination or election to the office of President of the United States in 1972;

(12) Compliance or noncompliance with any act of Congress requiring the reporting of the receipt or disbursement or use of any moneys or other things of value mentioned in subdivision (11) of this section;

(13) Whether any of the moneys or things of value mentioned in subdivision (11) of this section were placed in any secret fund or place of storage for use in financing any activity which was sought to be concealed from the public, and, if so, what disbursement or expenditure was made of such secret fund, and the identities of any person or group of persons or committee or organization having any control over such secret fund or the disbursement or expenditure of the same;

(14) Whether any books, checks, cancelled checks, communications, correspondence, documents, papers, physical evidence, records, recordings, tapes, or materials relating to the select committee is authorized and directed to investigate and study have been concealed, suppressed, or destroyed by any persons act-

individually or in combination with any such persons or groups of persons; (15) Any other activities, circumstances, materials, or transactions having a tendency to prove or disprove that persons acting either individually or in combination with others, engaged in any illegal, improper, or unethical activities in connection with the presidential election of 1972 or any campaign, canvass, or activity related to such election; (16) Whether any of the existing laws of the United States are inadequate, either in their provisions or manner of enforcement to safeguard the integrity or purity of the process by which presidents are chosen.

Sec. 3. (a) To enable the select committee to make the investigation and study authorized and directed by this resolution, the Senate hereby empowers the select committee as an agency of the Senate (1) to employ and fix the compensation of such clerical, investigatory, legal, technical, and other assistants as it deems necessary or appropriate; (2) to sit and act at any time or place during sessions, recesses and adjournment periods of the Senate; (3) to hold hearings for taking testimony on oath or to receive documentary or physical evidence relating to the matters and questions it is authorized to investigate or study; (4) to require by subpoena or otherwise the attendance as witnesses of any persons whom the select committee believes have knowledge or information concerning any of the matters or questions it is authorized to investigate and study; (5) to require by subpoena or order any department, agency, officer, or employee of the executive branch of the U.S. Government, or any private person, firm, or corporation or any officer or former officer or employee of any political committee or organization to produce for its consideration all for use as evidence in its investigation and study any books, checks, cancelled checks, correspondence, communications, documents, papers, physical evidence, records, recordings, tapes or materials relating to any of the matters or questions it is authorized to investigate and study which they or any of them may have in their custody or under their control; (6) to make to the Senate any recommendations it deems appropriate in respect to the willful failure or refusal of any person to appear before it in obedience to a subpoena or order, or in respect to the willful failure or refusal of any person to answer questions or give testimony in his character as a witness during his appearance before it, or in respect to the willful failure or refusal of any officer or employee of the executive branch of the U.S. Government or any person, firm or corporation or any officer or former officer or employee of any political committee or organization to produce before the committee any books, checks, cancelled checks, correspondence, communications, documents, financial records, papers, physical evidence, records, recordings, tapes, or materials in obedience to any subpoena or order; (7) to take depositions and other testimony on oath anywhere within the United States or in any other country; (8) to procure the services of any consultants or organizations it deems necessary or appropriate to aid it in the investigation and study it is authorized and directed by this resolution to make; (9) to use on a reimbursable basis with the prior consent of any department or agency of the executive or legislative branches of the U.S. Government the facilities or services of personnel of such department or agency; (10) to use on a reimbursable basis or otherwise with the prior consent of the chairman of any other of the Senate committees or the chairman of any subcommittee of any committee of the Senate the facilities or services of any members of the staffs of such other Senate committees or any subcommittee.

tees of such other Senate committees whenever the select committee or its chairman deems that such action is necessary or appropriate to enable the select committee to make the investigation and study authorized and directed by this resolution; (11) to have access through the agency of any of its investigatory or legal assistants designated by it or its chairman to any data, evidence, information, report, analysis, or document or papers relating to any of the matters or questions which it is authorized and directed to investigate and study in the custody or under the control of any department, agency, officer, or employee of the executive branch of the U. S. Government having the power under the laws of the United States to investigate any alleged criminal activities or to prosecute persons charged with crimes against the United States which will aid the select committee to prepare for or conduct the investigation and study authorized and directed by this resolution; (12) to procure either through assignment by the Rules Committee or by renting such offices and other space as may be necessary to enable it and its staff to make and conduct the investigation and study authorized and directed by this resolution; and (13) to expend to the extent it determines necessary or appropriate any moneys made available to it by the Senate to perform the duties and exercise the powers conferred upon it by this resolution and to make the investigation and study it is authorized by this resolution to make.

(b) Subpoenas may be issued by the select committee acting through the chairman or any other member designated by him, and may be served by any person designated by such chairman or other member anywhere within the borders of the United States. The chairman of the select committee, or any other member thereof is hereby authorized to administer oaths to any witnesses appearing before the committee.

(c) In preparing for or conducting the investigation and study authorized and directed by this resolution, the select committee shall be empowered to exercise the powers conferred upon committees of the Senate by Section 6002 of Title 18 of the U.S. Code or any other act of Congress regulating the granting of immunity to witnesses.

SECTION 4. The select committee shall have authority to propose legislation and to report its legislative proposals to the Senate in the form of bills, but no bills introduced by others shall be referred to it.

SECTION 5. The select committee shall make a final report of the results of the investigation and study conducted by it pursuant to this resolution, together with its findings and such legislative proposals as it deems necessary or desirable, to the Senate at the earliest practicable date, but no later than February 28, 1974. The select committee may also submit to the Senate such interim reports as it considers appropriate. After submission of its final report, the select committee shall have three calendar months to close its affairs, and on the expiration of such three calendar months shall cease to exist.

Section 6. The expenses of the select committee under this resolution shall not exceed \$500,000, and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the select committee.

Mr. ERVIN. Mr. President, I submit for appropriate reference a resolution establishing a Select Committee of the Senate to conduct an investigation and study of the extent, if any, to which illegal, improper, or unethical activities were engaged in by any persons, acting individually or in combination with

1972, or any campaign, canvass, or other activity related to it, and ask for immediate consideration of the resolution.

Mr. MANSFIELD. Mr. President, will the Senator from North Carolina yield briefly there?

Mr. ERVIN. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the resolution, rather than being considered immediately, be placed on the calendar and that consideration of the resolution occur at the hour of 4 o'clock p.m., tomorrow afternoon.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

Mr. SCOTT of Pennsylvania. Mr. President, reserving the right to object, and I shall not object, this is a result of an agreement that this matter may be considered at that time rather than today in order that all Senators may have an opportunity to read the resolution, copies of which are on their desks and to which I solicit their attention.

Mr. MANSFIELD. Mr. President, may I say to the distinguished minority leader that he has been most cooperative because, as we are all aware, this matter could have gone to the calendar and I want to express my appreciation for the accommodation and the understanding shown by the minority leader.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

Mr. ERVIN. Mr. President, I should like to say "Amen" to the gesture of the distinguished minority leader that all Senators may familiarize themselves with the contents of this proposed resolution. To that end, I have had copies placed on the desk of each Senator.

The ACTING PRESIDENT pro tempore. Without objection, the resolution will be placed on the Calendar.

Mr. MANSFIELD. Mr. President, for the information of the Senate, letters have been sent to the following departments, agencies, and individuals, relative to any papers which might be of value in the so-called Watergate Affair:

The Honorable Richard G. Kleindienst, Attorney General of the United States, who has most graciously replied, saying that he would make all his information available.

The Honorable Patrick L. Gray III, of the Federal Bureau of Investigation, who said that the Attorney General spoke for him.

The Honorable Earl J. Silbert, Principal Assistant U.S. Attorney, U.S. District Court House, who just acknowledged receipt of the letter.

The Honorable Elmer B. Staats, Comptroller General of the United States, who also replied.

To the Republican National Committee, Committee To Reelect the President, Stanley Ebner, general counsel.

The Honorable Richard Helms, Central Intelligence Agency.

The Honorable John W. Dean III, Counsel to the President.

The Honorable Maurice Stans, chairman of the Finance Committee to Re-